

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

JEANETTA LEE BAGLEY

CASE NO: 09-70183-HDH-13

HEARING DATE: 1/20/2010

HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2006-08 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
012 0 U	BANK OF AMERICA	\$809.00	015 0 U	CITIZENS AUTO FINANCE	\$20,615.57
016 0 U	INNOVATIVE DENTAL	\$1,000.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	CHASE AUTO FINANCE	2005 FORD TAURUS	\$9,145.06	\$6,350.00	10.00%	60	\$168.95 PAID BY TRUSTEE
	Extended term from 53 to 60 months. See modification below.						
009 0 *	IOWA PARK ISD	08 PROPERTY TAXES	\$500.26	\$77,453.00	12.00%	60	\$13.87 PAID BY TRUSTEE
	Not provided for in confirmed plan. See modification below.						
009 1	IOWA PARK ISD	09 PROPERTY TAXES	\$601.00	\$77,453.00			PD DIRECT BY DEBTOR
010 0	WELLS FARGO AUTO FINANCE	2003 DODGE RAM	\$12,724.15	\$12,912.00			PD DIRECT BY DEBTOR
021 0 *	WICHITA COUNTY	08 PROPERTY TAXES	\$120.50	\$77,453.00	12.00%	60	\$3.34 PAID BY TRUSTEE
	Not provided for in confirmed plan. See modification below.						
021 1 *	WICHITA COUNTY	09 PROPERTY TAXES	\$242.00	\$77,453.00			PD DIRECT BY DEBTOR
	Not provided for in confirmed plan. See modification below.						

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
008 1 U	CHASE AUTO FINANCE	\$2,795.06	013 0 U	ECAST SETTLEMENT CORPORATION	\$768.97
	SPLIT CLAIM/05 FORD TAURUS			PURCHASES/CHASE BANK USA	
014 0 U	PRA RECEIVABLES MANAGEMENT	\$1,462.50			
	PURCHASES/CITIBANK CITIHEALTH				

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2006-08 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The secured claim filed by Iowa Park ISD in the amount of \$1,101.26 shall be fully valued at \$77,453 and treated as follows: The portion of the claim for 2008 taxes in the amount of \$500.26 shall be paid through the plan at 12% interest over 60 months with a payment of \$13.87 per month. The portion of the claim for 2009 taxes in the amount of \$601 shall be paid direct.

The secured claim filed by Wichita County in the amount of \$362.50 shall be fully valued at \$77,453 and treated as follows: The portion of the claim for 2008 taxes in the amount of \$120.50 shall be paid through the plan at 12% interest over 60 months with a payment of \$3.34 per month. The portion of the claim for 2009 taxes in the amount of \$242 shall be paid direct.

All creditors shall be treated over a 60 month term.

Debtor shall pay \$224 per month beginning May 2009 for 9 months; then Debtor shall pay \$249 per month beginning February 2010 for the remaining 51 months for a total plan base amount of \$14,715.00.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/20/2010 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 08:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2006-08 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

ASSOCIATED CREDIT SERVICES PO BOX 9100 HOPKINTON MA 01748  
BANK OF AMERICA PO BOX 26012 GREENSBORO NC 27420  
CHASE AUTO FINANCE CORPORATION C/O MARY LAUTENBACH NAT BANKRUPTCY DEPT 201 N CENTRAL AVE AZ1-1191 PHOENIX AZ 85004  
CHASE AUTO FINANCE PO BOX 901032 FT WORTH TX 76101  
CHASE MANHATTAN ATTN BANKRUPTCY RESEARCH DEPT 3415 VISION DR COLUMBUS OH 43219  
CITI HEALTH CARD PO BOX 6497 SIOUX FALLS SD 57117  
CITIZENS AUTO FINANCE PO BOX 42002 PROVIDENCE RI 02940  
CITY OF IOWA PARK/IOWA PARK ISD C/O HARLOD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
ECAST SETTLEMENT CORPORATION PO BOX 35480 NEWARK NJ 07193  
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131  
INNOVATIVE DENTAL 1616 10TH ST WICHITA FALLS TX 76301  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75242  
IOWA PARK ISD PO BOX 428 IOWA PARK TX 76367  
JEANETTA LEE BAGLEY PO BOX 924 IOWA PARK TX 76367  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO AUTO FINANCE PO BOX 500 MAC F 6582034 CHESTER PA 19013  
WELLS FARGO BANK 13675 TECHNOLOGY DRIVE BLDG C 2ND FLOOR EDEN PRAIRIE MN 55344  
WELLS FARGO PO BOX 60510 LOS ANGELES CA 90060  
WELTMAN WEINBERG REIS CO LPA 323 W LAKESIDE AVE SUITE 200 CLEVELAND OH 44113  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242